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10/587,505	07/27/2006	Gunther Oskar Eckert	W1.2279 PCT US	2484

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Douglas R Hanscom
Jones Tullar & Cooper
P O Box 2266 Eads Station
Arlington, VA 22202

EXAMINER

CHEN, YUAN L

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2854

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/587,505	Applicant(s) ECKERT, GUNTHER OSKAR	
	Examiner Yuan L. Chen	Art Unit 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 43 - 62 is/are pending in the application.
- 4a) Of the above claim(s) 44-54 and 58-62 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 43 and 55-57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 July 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/27/2006, 10/11/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election of Group 8, Claims 43 and 55 - 57 in the reply filed on 7/27/2008 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, "an image regulator" for displacing the printing forme on the forme cylinder as cited in Claim 43, "a detection device" in Claim 55 and "a controllable drive mechanism" and "a control unit" in Claim 57 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the

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remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities: "bya" in [029] line 11 should be changed to --by a--, and in Fig. 3" in [0036] line 7 should be changed to --in Fig. 3--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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5. Claims 43 and 55 - 57 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for the concept of displacing the printing forme on the forme cylinder by using the image regulator, does not reasonably provide enablement of the structure required to carry out the invention. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention commensurate in scope with these claims.

With respect to Claim 43, the structure of the recited "an image regulator" (38 in Fig. 1) is not provided in the specification so as to be clear exactly what structural arrangement is required and how it functions to displace the printing forme on the forme cylinder, as required by the first paragraph of 35 U.S.C. 112.

With respect to Claim 55, the structure of the recited "a detection device" is not provided in the specification so as to be clear exactly what structural arrangement is required and how it functions to detect the center point of a printing image, as required by the first paragraph of 35 U.S.C. 112.

With respect to Claim 56, the structure of the recited "an image regulator" (38 in Fig. 1) is not provided in the specification so as to be clear exactly what structural arrangement is required and how it functions to use the image regulator for changing the center point, as required by the first paragraph of 35 U.S.C. 112.

With respect to Claim 57, the structure of the recited "a controllable drive mechanism" and "a control unit" is not provided in the specification so as to be clear exactly what structural arrangement is required and how it functions to

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using the control unit for controlling the controllable drive mechanism, as required by the first paragraph of 35 U.S.C. 112.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kusunoki (Pub. No.: EP 1182035) in view of Edamitsu et al. (Patent No.: US 6729239).

With respect to Claim 43, Kusunoki discloses in Figs. 1 - 2 and [0028]: a printing press comprising: a method for compensating for misalignment of a web of material to be printed including:

providing at least first (P1 from the web direction as shown by the arrow in Fig. 1) and second (P2 from the web direction as shown by the arrow) printing groups arranged one behind the other in a printing press (MP) in a direction (arrow) of production of a material (W) to be printed;

positioning at least one forme cylinder (PC) and at least one transfer cylinder (BC) in each of said at least first and second printing groups (P1 and P2);

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positioning at least one printing forme ([0045] lines 1 - 3) on each said forme cylinder (PC).

Kusunoki discloses the adjustment of the axial and circumferential displacements for PC_1 and PC_2 , but does not teach the adjustment is carried out based on the elongation of the web.

However, Edamitsu et al. teach in Figs. 16 – 17 and column 19 lines 60 – 64:

determining an amount (changing the magnification in column 19 lines 60 – 64) of an anticipated (based on the used printing paper before printing in column 19 lines 60 – 64) one of a transverse elongation ($k_2 - y_2$ in Fig. 16 and column 16 lines 32 -36) and longitudinal elongation ($(k_4 + k_3) - (y_4 + y_3)$ in Fig. 17 and column 19 lines 5 – 8) in the material to be printed prior to (based on the used printing paper before printing in column 19 lines 60 – 64) printing of the material (printing paper);

compensating for said anticipated elongation by one of configuring or locating said at least one printing forme (plate) on each said forme (plate) cylinder (Fig. 8 and column 5 lines 28 – 34);

providing an image regulator (13 in Fig. 1 and column 4 lines 58 – 62) in said printing press;

determining an amount of an actual one (column 11 lines 65 – 67) of said transverse elongation and longitudinal elongation; and

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displacing (Fig. 8 and column 5 lines 28 – 34) said at least one printing (plate) forme on said at least one forme (plate) cylinder (3 in Fig. 1) of said second, subsequent printing group (on the left of Fig. 1) using said image regulator (13) in relation to a reference marker (R3 and R4) on the material to be printed and transversely to said direction of production (vertical direction in Fig. 8).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to modify Kusunoki's printing method with multiple printing groups for the web by using Edamitsu et al.'s method for compensating the elongation of the web for the purpose of easily and quickly reducing misregistration due to the elongation of the web to increase the quality of the printing.

This modification/combination meets all the limitations of Claim 43.

8. Claims 55 -57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kusunoki in view of Edamitsu et al., and further in view of Wang et al. (Patent No.: US 5816151).

With respect to Claim 55, the combination of Kusunoki in view of Edamitsu et al. applied above meets the limitations of Claim 55: the method of claim 43 further including providing a detection device (16 in Fig. 1 column 4 line 66 – column 5 line 5 of Edamitsu et al.) and using said detection device (16) for detecting the print image being printed from different print locations defined by said at least first and second printing groups.

The combination does not teach how to detect the center point.

However, Wang et al. teach in Fig. 2 and column 8 lines 27 – 36 using the detecting device (34) for detecting at least one center point of a print image (16).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to modify the combination of Kusunoki and Edamitsu et al.'s printing method with multiple printing groups for the web by using Wang et al's method for detecting the center point of the image for the purpose of choosing an ideal point as an alignment point to increase the quality of the printing.

This modification/combination meets all the limitations of Claim 55.

With respect to Claim 56, the modification/combination meets the limitations of Claim 56: the method of claim 55 further including using said image regulator (13 in Fig. 1 and column 4 lines 58 – 62 of Edamitsu et al.) for changing said center point (in Fig. 2 column 8 lines 27 – 36 of Wang et al.).

With respect to Claim 57, the modification/combination meets the limitations of Claim 57: the method of claim 56 further including providing a controllable drive mechanism (abstract lines -5 - -1 of Kusunoki), using said controllable drive mechanism for driving at least one of said at least one forme (plate) cylinder and said at least one transfer (blanket) cylinder, providing a control unit (17 column 8 line 67 – column 9 line 3) for said printing press and using said control unit (17) for controlling said controllable drive mechanism for

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matching (column 19 lines 51 – 56 of Edamitsu et al.) said center point (column 8 lines 27 – 36 of Wang et al.) of said print image location with a center point of a common print image.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yuan L. Chen whose telephone number is 571-270-3799. The examiner can normally be reached on Monday-Friday 7:30 AM to 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

yc

/Ren L Yan/
Primary Examiner, Art Unit 2854